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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/693,730

10/24/2003

Luc Leenders

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EXAMINER

WILLIAMS, KEVIN D

ART UNIT

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2854

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/693,730	Applicant(s) LEENDERS ET AL.	
	Examiner Kevin D. Williams	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-10,13-19,21-26,29-32,34-39,42-50,52-57 and 59-61 is/are rejected.
- 7) ☒ Claim(s) 4,11,12,20,27,28,33,40,41,51 and 58 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 8, 9, 14, 17, 24, 25, 30 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Damme (US 6,165,691).

Uchida teaches a process for offset printing comprising, applying a printing ink to a printing plate and wetting said printing plate with a fountain comprising a fountain medium comprising between 50% by weight and 100% by weight of water (col. 4, lines 11-16; col. 6, lines 44-46; col. 8, lines 10-14; col. 10, lines 14-16; solution comprises at most 15% organic solvent, 10% thickening agent, and 10% surfactant; remaining part is water) thereby providing said printing plate with an area inked with said printing ink and an area coated with said fountain, and transferring said printing ink and fountain onto said receiving medium, wherein said fountain further comprises as a solution or a dispersion in said fountain medium at least one moiety (col. 6, lines 45-67), wherein a functional pattern of said at least one moiety is provided on said receiving medium, wherein a pH-indicator pattern is provided when said fountain comprises at least one moiety having at least pH-indicating properties (not a required limitation since claimed in the alternative), the fountain medium further comprising a di- or polyhydroxy- and/or

carboxy groups or amide or lactam group containing organic compound being selected from the group consisting of 1,2-propandiol, propylene glycol, diethylene glycol (col. 6, lines 19-20), N-methyl pyrrolidinone and di (ethylene glycol) ethyl ether acetate, and said aqueous fountain medium having a viscosity at 25°C after stirring to constant viscosity of 30 mPa.s as measured according to DIN 53211 (Abstract).

Uchida does not teach the at least one moiety having at least pH-indicating, whitening, fluorescent, phosphorescent, X-ray phosphor, or polymeric intrinsically conductive properties or organic conductive or organo-metallic conductive properties.

Damme teaches a fountain solution having at least one moiety having at least pH-indicating, whitening (titanium oxide; Abs.), fluorescent, phosphorescent, X-ray phosphor, or polymeric intrinsically conductive properties or organic conductive or organo-metallic conductive properties.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Uchida to have the titanium oxide as taught by Damme, in order to provide a desired color to the solution.

3. Claims 1, 8, 9, 14, 17, 24, 25, 30 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Appel (GB 2254917).

Uchida teaches a process for offset printing comprising, applying a printing ink to a printing plate and wetting said printing plate with a fountain comprising a fountain medium comprising between 50% by weight and 100% by weight of water (col. 4, lines 11-16; col. 6, lines 44-46; col. 8, lines 10-14; col. 10, lines 14-16; solution comprises at

most 15% organic solvent, 10% thickening agent, and 10% surfactant; remaining part is water) thereby providing said printing plate with an area inked with said printing ink and an area coated with said fountain, and transferring said printing ink and fountain onto said receiving medium, wherein said fountain further comprises as a solution or a dispersion in said fountain medium at least one moiety (col. 6, lines 45-67), wherein a functional pattern of said at least one moiety is provided on said receiving medium, wherein a pH-indicator pattern is provided when said fountain comprises at least one moiety having at least pH-indicating properties (not a required limitation since claimed in the alternative), the fountain medium further comprising a di- or polyhydroxy- and/or carboxy groups or amide or lactam group containing organic compound being selected from the group consisting of 1,2-propandiol, propylene glycol, diethylene glycol (col. 6, lines 19-20), N-methyl pyrrolidinone and di (ethylene glycol) ethyl ether acetate, and said aqueous fountain medium having a viscosity at 25°C after stirring to constant viscosity of 30 mPa.s as measured according to DIN 53211 (Abstract).

Uchida does not teach the at least one moiety having at least pH-indicating, whitening, fluorescent, phosphorescent, X-ray phosphor, or polymeric intrinsically conductive properties or organic conductive or organo-metallic conductive properties.

Appel teaches a fountain solution having at least one moiety having at least pH-indicating, whitening, fluorescent (Abs.), phosphorescent, X-ray phosphor, or polymeric intrinsically conductive properties or organic conductive or organo-metallic conductive properties.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Uchida to have a solution with fluorescent properties as taught by Appel, in order to effectively determine the thickness of the solution film on a printing cylinder.

4. Claims 2, 3, 5-7, 18, 19, and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Damme or Appel as applied to claims 1, 8, 9, 14, 17, 24, 25, 30 and 46 above and further in view of Kirchmeyer (US 2002/0077450).

Uchida in view of Damme or Appel teaches the claimed invention except for said moiety being an intrinsically conductive polymer, the intrinsically conductive polymer being selected from the group consisting of polyanilines, polyaniline derivatives, polypyrroles, polypyrrole derivatives, polythiophenes and polythiophene derivatives, the intrinsically conductive polymer being selected from the group consisting of homopolymers of (3,4-methylenedioxy-thiophene), (3,4-methylenedioxythiophene) derivatives, (3,4-ethylenedioxythiophene), (3,4-ethylenedioxythiophene) derivatives, (3,4-propylenedioxythiophene), (3,4-propylenedioxythiophene) derivatives, (3,4-butylenedioxythiophene) and (3,4-butylenedioxythiophene) derivatives and copolymers thereof, and the fountain medium further containing a polyanion being a poly(styrenesulfonate).

Kirchmeyer teaches an intrinsically conductive polymer being selected from the group consisting of polyanilines, polyaniline derivatives, polypyrroles, polypyrrole derivatives, polythiophenes ([0044]) and polythiophene derivatives, the intrinsically conductive polymer being selected from the group consisting of homopolymers of (3,4-

methylenedioxy-thiophene) ([0031]), (3,4-methylenedioxythiophene) derivatives, (3,4-ethylenedioxythiophene), (3,4-ethylenedioxythiophene) derivatives, (3,4-propylenedioxythiophene), (3,4-propylenedioxythiophene) derivatives, (3,4-butylenedioxythiophene) and (3,4-butylenedioxythiophene) derivatives and copolymers thereof, and a solution containing a polyanion being a poly(styrenesulfonate) ([0032]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Uchida to have the solution as taught by Kirchmeyer, in order to utilize components that dissolve quickly in solvents.

5. Claims 10 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Damme or Appel as applied to claims 1, 8, 9, 14, 17, 24, 25, 30 and 46 above and further in view of Domoto (US 6,827,435).

Uchida in view of Damme or Appel teaches the claimed invention except for heating the receiving medium within 10 minutes after printing to a temperature of 100 to 250°C.

Domoto teaches a printing device having a step subsequent to printing in which a receiving medium within 10 minutes of printing is heated to a temperature of 100 to 250°C (col. 6, lines 30-34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Uchida to have the heating of the receiving medium as taught by Domoto, in order to prevent the printed images from smearing.

6. Claims 13 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Damme or Appel as applied to claims 1, 8, 9, 14, 17, 24, 25, 30 and 46 above and further in view of Doi (US 5,296,336).

Uchida in view of Damme or Appel teaches the claimed invention except for the fountain further comprising a non-ionic or anionic surfactant.

Doi teaches a fountain solution comprising a non-ionic or anionic surfactant (col. 3, lines 60-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Uchida to have the solution as taught by Doi, in order to lower the surface tension and increase the wettability of the non image portion of the printing plate as taught by Doi.

7. Claims 15, 16, 44 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Damme or Appel as applied to claims 1, 8, 9, 14, 17, 24, 25, 30 and 46 above and further in view of Matsumoto (US 6,312,873).

Uchida in view of Damme or Appel teaches the claimed invention except for the fountain comprising a dye and/or pigment where the color tone of the ink and color tone of the aqueous fountain cannot be distinguished by the human eye when applied onto a receiving medium.

Matsumoto teaches a fountain comprising a dye and/or pigment (col. 12, line 65 to col. 13, line 4).

In view of the teaching in Matsumoto, it would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Uchida to have a dye of any desired color, according to the particular needs of the print job at hand.

8. Claims 18, 31, 32, 34-38, 43, 47-50, 52-56, and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Kirchmeyer (US 2002/0077450).

With respect to claim 18, Uchida teaches a process for offset printing comprising, applying a printing ink to a printing plate and wetting said printing plate with a fountain comprising a fountain medium comprising between 50% by weight and 100% by weight of water (col. 4, lines 11-16; col. 6, lines 44-46; col. 8, lines 10-14; col. 10, lines 14-16; solution comprises at most 15% organic solvent, 10% thickening agent, and 10% surfactant; remaining part is water), said fountain further comprising as a solution or a dispersion in said fountain medium at least one moiety having at least pH-indicating (col. 10, lines 17-20), whitening, fluorescent, phosphorescent, X-ray phosphor or organic conductive or organo-metallic conductive properties.

With respect to claims 31, 32, 34-38, 43, 47-50, 52-56, and 61, Uchida teaches a process for offset printing comprising, applying a printing ink to a printing plate and wetting said printing plate with a fountain comprising a fountain medium comprising between 50% by weight and 100% by weight of water (col. 4, lines 11-16; col. 6, lines 44-46; col. 8, lines 10-14; col. 10, lines 14-16; solution comprises at most 15% organic solvent, 10% thickening agent, and 10% surfactant; remaining part is water) and said fountain further comprising as a solution or a dispersion in said fountain medium at least

one moiety (col. 6, lines 45-67) thereby providing said printing plate with an area inked with said printing ink and an area coated with said fountain, and transferring said printing ink and fountain onto said receiving medium, wherein a functional pattern of said moiety is provided on said receiving medium when said fountain is transferred to said receiving medium, the fountain medium further comprising a di- or polyhydroxy- and/or carboxy groups or amide or lactam group containing organic compound being selected from the group consisting of 1,2-propandiol, propylene glycol, diethylene glycol (col. 6, lines 19-20), N-methyl pyrrolidinone and di (ethylene glycol) ethyl ether acetate, said aqueous fountain medium having a viscosity at 25°C after stirring to constant viscosity of 30 mPa.s as measured according to DIN 53211 (Abstract).

Uchida does not teach the at least one moiety being an intrinsically conductive polymer, the intrinsically conductive polymer being selected from the group consisting of polyanilines, polyaniline derivatives, polypyrroles, polypyrrole derivatives, polythiophenes and polythiophene derivatives, the intrinsically conductive polymer being selected from the group consisting of homopolymers of (3,4-methylenedioxy-thiophene), (3,4-methylenedioxythiophene) derivatives, (3,4-ethylenedioxythiophene), (3,4-ethylenedioxythiophene) derivatives, (3,4-propylenedioxythiophene), (3,4-propylenedioxythiophene) derivatives, (3,4-butylenedioxythiophene) and (3,4-butylenedioxythiophene) derivatives and copolymers thereof, and the fountain medium further containing a polyanion being a poly(styrenesulfonate).

Kirchmeyer teaches an intrinsically conductive polymer being selected from the group consisting of polyanilines, polyaniline derivatives, polypyrroles, polypyrrole

derivatives, polythiophenes ([0044]) and polythiophene derivatives, the intrinsically conductive polymer being selected from the group consisting of homopolymers of (3,4-methylenedioxy-thiophene) ([0031]), (3,4-methylenedioxythiophene) derivatives, (3,4-ethylenedioxythiophene), (3,4-ethylenedioxythiophene) derivatives, (3,4-propylenedioxythiophene), (3,4-propylenedioxythiophene) derivatives, (3,4-butylenedioxythiophene) and (3,4-butylenedioxythiophene) derivatives and copolymers thereof, and a solution containing a polyanion being a poly(styrenesulfonate) ([0032]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Uchida to have the solution as taught by Kirchmeyer, in order to utilize components that dissolve quickly in solvents.

9. Claims 39, 57, and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Kirchmeyer as applied to claims 31, 32, 34-38, 43, 47-50, 52-56, and 61 above and further in view of Domoto.

Uchida in view of Kirchmeyer teaches the claimed invention except for heating the receiving medium within 10 minutes after printing to a temperature of 100 to 250°C.

Domoto teaches a printing device having a step subsequent to printing in which a receiving medium within 10 minutes of printing is heated to a temperature of 100 to 250°C and ≤ 150 °C (col. 6, lines 30-34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Uchida to have the heating of the receiving medium as taught by Domoto, in order to prevent the printed images from smearing.

10. Claims 42 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Kirchmeyer as applied to claims 31, 32, 34-38, 43, 47-50, 52-56, and 61 above and further in view of Doi.

Uchida in view of Kirchmeyer teaches the claimed invention except for the fountain further comprising a non-ionic or anionic surfactant.

Doi teaches a fountain solution comprising a non-ionic or anionic surfactant (col. 3, lines 60-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Uchida to have the solution as taught by Doi, in order to lower the surface tension and increase the wettability of the non image portion of the printing plate as taught by Doi.

Allowable Subject Matter

11. Claims 4, 11, 12, 20, 27, 28, 33, 40, 41, 51, and 58 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reason for the allowability of claims 4, 20, 33, and 51 is the limitation of said moiety being an intrinsically conductive polymer that is a polymer or copolymer of a 3,4-dialkoxythiophene in which the two alkoxy groups may be the same or different

or together represent an optionally substituted oxy-alkylene-oxy bridge, in combination with the other claimed language.

The primary reason for the allowability of claims 11, 27, 40, and 58 is the limitation of said aqueous fountain medium further contains an aprotic organic compound with a dielectric constant > 15 , in combination with the other claimed language.

Response to Arguments

12. Applicant's arguments filed 10/24/2006 have been fully considered but they are not persuasive.

Applicant argues that Uchida does not disclose providing a functional pattern of the moiety on a receiving medium. The examiner respectfully disagrees. In Uchida, the receiving medium (blanket if offset printing) receives the oleophilic and hydrophilic phases from the plate and therefore receives a functional pattern of the moiety. Applicant even admits that it is conventional to transfer both the oleophilic and hydrophilic phases from the plate to the blanket and then to a final substrate. See page 1, lines 26-32 of Applicant's specification.

With respect to several of the 103 rejections, Applicant argues that there is no motivation or suggest to combine the secondary reference with Uchida because the secondary reference does not remedy the problem with which Uchida is concerned. Uchida seeks to provide a dampening solution free of isopropyl alcohol. The examiner wishes to point out that it is not necessary that the secondary reference remedy the stated problem facing the primary reference. The requirement is that there is motivation

or a suggestion to combine the references in the references themselves or within the general knowledge of the art.

Applicant states that Appel is concerned with determining the thickness of a dampening film. Applicant further argues that there is no motivation to combine Appel with Uchida since Uchida does not recognize dampening film thickness as a problem. The examiner wishes to point out that it is not necessary that the secondary reference remedy the stated problem facing the primary reference or that the primary reference recognize the problem facing the secondary reference. The requirement is that there is motivation or a suggestion to combine the references in the references themselves or within the general knowledge of the art. Appel discloses that in order to produce quality printed images a certain amount of dampening solution should be applied to the surface of the printing cylinder. See page 1, lines 11-17. Appel discloses a method of monitoring and maintaining the amount of solution at the appropriate level. One of ordinary skill in the art would certainly be inclined to look to the device in Appel in order to monitor and maintain the solution at a desired level.

Applicant states that Damme is concerned with reducing scumming and that Uchida is concerned with providing a dampening solution free of isopropyl alcohol. Applicant further argues that since Uchida fails to recognize scumming as a problem there is no motivation to combine Damme with Uchida. The examiner respectfully disagrees. The examiner wishes to point out that it is not necessary that the secondary reference remedy the stated problem facing the primary reference or that the primary reference recognize the problem facing the secondary reference. The requirement is

that there is motivation or a suggestion to combine the references in the references themselves or within the general knowledge of the art. It is also not necessary that the reason for adding the whitening agent coincide with that of Applicant. Damme teaches that the use of titanium oxide is advantageous. It is clear that the use would result in providing whitening properties to the solution since titanium oxide has whitening properties.

Applicant argues that there is no motivation to combine Kirchmeyer with Uchida. The examiner respectfully disagrees. Kirchmeyer describes that the use of a certain solution provides certain advantages. One of ordinary skill in the art would be inclined to look to the Kirchmeyer reference for the stated benefits of using the described solution. Here, Kirchmeyer teaches that it is advantageous to use several components because they dissolve quickly in solvents.

With respect to claim 18, Applicant argues that Uchida does not disclose a medium containing at least one moiety having at least pH-indicating properties. Applicant argues that the moiety of Uchida contains pH-adjusting components. The claims recite a moiety having "pH-indicating properties." The properties of the moiety of Uchida are such that they indicate a particular pH which can be determined by a pH indicating test. See column 10, lines 17-20. The fact that the components in the Uchida solution that indicate pH also adjust the pH does not prevent these components from meeting the requirements of the claims.

Applicant's arguments, with respect to the rejections applying the Louwet '472 patent have been fully considered and are persuasive. The rejection of claims 7, 14,

and 16 has been withdrawn. However, upon further consideration, a new ground of rejection is made with respect to claims 13, 29, 42, and 60 in view of Doi.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin D. Williams whose telephone number is (571) 272-2172. The examiner can normally be reached on Monday - Friday, 8:30am - 6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KDW
November 26, 2007

/Daniel J. Colilla/
Primary Examiner
Art Unit 2854